

U.S. ARMY CORPS OF ENGINEERS
WILMINGTON DISTRICT

Action ID: 200421124

County: Chatham

GENERAL PERMIT (REGIONAL AND NATIONWIDE) VERIFICATION

Property Owner: Polk-Sullivan, LLC
Attn: Robert Swain

Mailing Address: Post Office Box 5689
Cary, North Carolina 27513

Telephone No.: (919) 469-8674

Authorized Agent: Soil & Environmental Consultants, Inc.
Attn: Mr. Sean Clark

Mailing Address: 11010 Raven Ridge Road
Raleigh, North Carolina 27614

Telephone No.: (919) 846-5900

Location of property (road name/number, town, etc.): The project (Williams Pond Residential Subdivision) is located southwest of Bynum Ridge Road, east of the Haw River, in Bynum, Chatham County, North Carolina.

Site Coordinates: 35.7669 °N 79.1215 °W USGS Quad: Farrington

Waterway: Pokeberry Creek River Basin: Cape Fear HUC: 03030002

Description of projects area and activity (see page 2 for a summary of authorized impacts): Activities associated with the proposed project include mechanized land clearing, excavation, the installation of culverts, and the placement of backfill and riprap stabilization, necessary for the construction of three road crossings. An additional road crossing will be constructed utilizing a open-bottom culvert that will avoid all impacts to waters of the U.S.

Applicable Law: Section 404 (Clean Water Act, 33 USC 1344)
 Section 10 (Rivers and Harbors Act, 33 USC 403)

Authorization: Nationwide or Regional General Permit Number(s): 39

Your work is authorized by the above referenced permit provided it is accomplished in strict accordance with the attached conditions and your submitted plans. Any violation of the attached conditions or deviation from your submitted plans may subject the permittee to a stop work order, a restoration order and/or appropriate legal action.

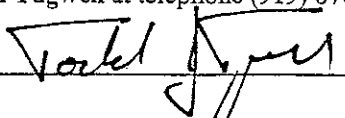
This verification will remain valid until the expiration date identified below unless the nationwide authorization is modified, suspended or revoked. If, prior to the expiration date identified below, the nationwide permit authorization is reissued and/or modified, this verification will remain valid until the expiration date identified below, provided it complies with all requirements of the modified nationwide permit. If the nationwide permit authorization expires or is suspended, revoked, or is modified, such that the activity would no longer comply with the terms and conditions of the nationwide permit, activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon the nationwide permit, will remain authorized provided the activity is completed within twelve months of the date of the nationwide permit's expiration, modification or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend or revoke the authorization.

Activities subject to Section 404 (as indicated above) may also require an individual Section 401 Water Quality Certification. You should contact the NC Division of Water Quality (telephone (919) 733-1786) to determine Section 401 requirements.

For activities occurring within the twenty coastal counties subject to regulation under the Coastal Area Management Act (CAMA), prior to beginning work you must contact the N.C. Division of Coastal Management.

This Department of the Army verification does not relieve the permittee of the responsibility to obtain any other required Federal, State or local approvals/permits.

If there are any questions regarding this verification, any of the conditions of the Permit, or the Corps of Engineers regulatory program, please contact Todd Tugwell at telephone (919) 876-8441, ext 26.

Corps Regulatory Official  Date: 02/01/2005 Verification Expiration Date: 02/01/2007

Copy Furnished: NC Ecosystem Enhancement Program, 1652 Mail Service Center, Raleigh, NC 27699-1652

Determination of Jurisdiction:

- Based on preliminary information, there appear to be waters of the US including wetlands within the above described project area. This preliminary determination is not an appealable action under the Regulatory Program Administrative Appeal Process (Reference 33 CFR Part 331).
- There are Navigable Waters of the United States within the above described project area subject to the permit requirements of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- There are waters of the US and/or wetlands within the above described project area subject to the permit requirements of Section 404 of the Clean Water Act (CWA)(33 USC § 1344). Unless there is a change in the law or our published regulations, this determination may be relied upon for a period not to exceed five years from the date of this notification.
- The jurisdictional areas within the above described project area have been identified under a previous action. Please reference the jurisdictional determination issued on (Action ID:).

Basis of Jurisdictional Determination: The project site contains jurisdictional stream channels, and adjacent wetlands, which flow into Pokeberry Creek, a tributary to the Cape Fear River, a navigable waterway.

Corps Regulatory Official *[Signature]* Date: 02/01/2005 Determination Expiration Date: 02/01/2010

Summary of Authorized Impacts and Required Mitigation

Action ID #	NWP / GP #	Open Water (ac)		Wetland (ac)		Unimportant Stream (lf)		Important Stream (lf)		
		Temporary	Permanent	Temporary	Permanent	Temporary	Permanent	Temporary	Permanent	
200421124	39						109		194	
Impact Totals		0	0	0	0	0	109	0	194	
Total Loss of Waters of the U.S. (ac)				0		Total Loss of Waters of the U.S. (lf)				303
Required Wetland Mitigation (ac)			0		Required Stream Mitigation (lf)			194 In-Lieu/EEP		

Additional Remarks and/or Special Permit Conditions:

1. The Permittee shall cause to be recorded in the Register of Deeds for Chatham County restrictive covenants, the form of which was provided to the Corps by Robert Swain in a letter dated January 14, 2005, for the purpose of maintaining proposed conservation areas in their natural state in perpetuity. The permittee shall also cause to be recorded a plat, showing the subdivision plan for the property, the boundary of the conservation areas, and the boundary of jurisdictional waters of the United States. The restrictive covenants and plat, as approved by the Corps of Engineers, shall be recorded prior to the sale or conveyance of any lots, phases, or other property within the subdivision. The permittee shall enforce the terms of the restrictions set forth in the deed, and, prior to conveyance of the property, shall take no action on the property described in the deed inconsistent with the terms thereof.

2. The permittee shall make payment to the North Carolina Ecosystem Enhancement Program (NCEEP) in the amount determined by the NCEEP, sufficient to perform the restoration of 194 linear feet of warm water stream in the Cape Fear River Basin, Cataloging Unit 03030002. Construction within jurisdictional areas on the property shall begin only after the permittee has made full payment to the NCEEP and provided a copy of the payment documentation to the Corps, and the NCEEP has provided written confirmation to the Corps that it agrees to accept responsibility for the mitigation work required, in compliance with the MOU between the North Carolina Department of Environment and Natural Resources and the United States Army Corps of Engineers, Wilmington District, dated November 4, 1998.

**WILMINGTON DISTRICT
POST-CONSTRUCTION COMPLIANCE FORM**

Action ID Number: 200421124

County: Chatham

Permittee: Polk-Sullivan, LLC

Attn: Robert Swain

Date Permit Issued: 02/01/2005

Project Manager: Todd Tugwell

Upon completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:

US Army Corps Of Engineers
Wilmington District
Raleigh Regulatory Field Office
6508 Falls Of The Neuse Road
Suite 120
Raleigh, North Carolina 27615

Please note that your permitted activity is subject to a compliance inspection by a U. S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and condition of the said permit, and required mitigation was completed in accordance with the permit conditions.

Signature of Permittee

Date

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Polk-Sullivan, LLC Attn: Robert Swain	File Number: 200421124	Date: 02/01/2005
Attached is:		See Section below
<input type="checkbox"/> INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
<input type="checkbox"/> PROFFERED PERMIT (Standard Permit or Letter of permission)		B
<input type="checkbox"/> PERMIT DENIAL		C
<input checked="" type="checkbox"/> APPROVED JURISDICTIONAL DETERMINATION		D
<input type="checkbox"/> PRELIMINARY JURISDICTIONAL DETERMINATION		E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://www.usace.army.mil/inet/functions/cw/cecwo/reg-or-Corps-regulations-at-33-CFR-Part-331>.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION

If you have questions regarding this decision and/or the appeal process you may contact:

Todd Tugwell
Raleigh Regulatory Field Office
US Army Corps of Engineers
6508 Falls of the Neuse Road, Suite 120
Raleigh, North Carolina 27615

If you only have questions regarding the appeal process you may also contact:

Mr. Michael Bell, Administrative Appeal Review Officer
CESAD-ET-CO-R
U.S. Army Corps of Engineers, South Atlantic Division
60 Forsyth Street, Room 9M15
Atlanta, Georgia 30303-8801

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Date:

Telephone number:

Signature of appellant or agent.

DIVISION ENGINEER:

Commander
U.S. Army Engineer Division, South Atlantic
60 Forsyth Street, Room 9M15
Atlanta, Georgia 30303-3490



Michael F. Easley, Governor
 William G. Ross Jr., Secretary
 North Carolina Department of Environment and Natural Resources
 Alan W. Klimmek, P.E. Director
 Division of Water Quality

November 19, 2004

DWQ EXP # 04-1672
 Chatham County
 Page 1 of 4

Polk-Sullivan, LLC
 Attn: Robert Swain
 PO Box 5689
 Cary, NC 27573

Subject Property: **Williams Pond Subdivision**
 Pokeberry Creek (03-06-04, 16-37, WS-IV, NSW), Haw River (03-06-04, 16, WS-IV, NSW CA), Williams Pond (03-06-04, 16-37-2, WS-IV, NSW)

Approval of 401 Water Quality Certification with Additional Conditions-Express Review Program

Dear Mr. Swain:

You have our approval, in accordance with the attached conditions and those listed below, to place fill within or otherwise impact 303 feet of streams for the purpose of a subdivision at the subject property, as described within your application dated October 22, 2004 and received by the N.C. Division of Water Quality (DWQ) on October 22, 2004 and all additional information submitted and received on October 28, 2004, November 8, 2004, November 16, 2004 and November 18, 2004. After reviewing your application, we have decided that the impacts are covered by General Water Quality Certification Number 3402 (GC3402). The Certification(s) allows you to use Nationwide Permit 39 when issued by the US Army Corps of Engineers (USACE). In addition, you should obtain or otherwise comply with any other required federal, state or local permits before you go ahead with your project including (but not limited to) Erosion and Sediment Control, Non-discharge, and Water Supply Watershed regulations. **Also, this approval to proceed with your proposed impacts or to conduct impacts to waters as depicted in your application shall expire upon expiration of the 404 or CAMA Permit.**

This approval is for the purpose and design that you described in your application. If you change your project, you must notify us and you may be required to send us a new application. If the property is sold, the new owner must be given a copy of this Certification and approval letter and is thereby responsible for complying with all conditions. If total fills for this project (now or in the future) exceed one acre of wetland or 150 linear feet of stream, compensatory mitigation may be required as described in 15A NCAC 2H .0506 (h). This approval requires you to follow the conditions listed in the attached certification and any additional conditions listed below.

Our
 North Carolina
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401 Wetlands Certification Unit
 1650 Mail Service Center, Raleigh, North Carolina 27689-1650
 2321 Crabtree Boulevard, Suite 250, Raleigh, North Carolina 27604
 Phone: 919-733-1786 / FAX 919-733-6898 / internet: <http://h2o.enr.state.nc.us/ncwetlands>

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NOV-19-2004 14:00 FROM:DWQ-WETLANDS 9197336898

The Additional Conditions of the Certification are:

1. Impacts Approved

The following impacts are hereby approved as long as all of the other specific and general conditions of this Certification (or Isolated Wetland Permit) are met. No other impacts are approved including incidental impacts:

	Amount Approved (Units)	Plan Location or Reference
Stream	194' perennial, 109' intermittent	Impact Maps 1, 2 & 4 (dated 10/26/04) and 3 (dated 11/10/04)

2. Compensatory Mitigation Using the Ecosystem Enhancement Program (EEP)

Mitigation must be provided for the proposed impacts as specified in the table below. We understand that you wish to make a payment to the Wetlands Restoration Fund administered by the NC Ecosystem Enhancement Program (EEP) to meet this mitigation requirement. This has been determined by the DWQ to be a suitable method to meet the mitigation requirement. Until the EEP receives and clears your check (made payable to: DENR - Ecosystem Enhancement Program Office), no impacts specified in this Authorization Certificate shall occur. The EEP should be contacted at (919) 733-5208 if you have any questions concerning payment into a restoration fund. You have one month from the date of this approval to make this payment. **For accounting purposes, this Authorization Certificate authorizes payment into the Wetlands Restoration Fund to meet the following compensatory mitigation requirement:**

	Compensatory Mitigation Required	River and Sub-basin Number
Stream	194 (feet)	03-06-04

3. Protective Fencing

The outside buffer, wetland or water boundary and along the construction corridor within these boundaries approved under this authorization shall be clearly marked with orange warning fencing (or similar high visibility material) for the areas that have been approved to infringe within the buffer, wetland or water prior to any land disturbing activities to ensure compliance with GC 3402.

4. Turbidity Standard

The turbidity standard of 50 NTUs (Nephelometric Turbidity Units) shall not be exceeded as described in 15 A NCAC 2B .0200. Appropriate sediment and erosion control practices must be used to meet this standard.

5. Deed Notifications

Deed notifications or similar mechanisms shall be placed on all retained jurisdictional wetlands, waters and protective buffers in order to assure compliance for future wetland, water and buffer impact. These mechanisms shall be put in place prior to impacting any wetlands, waters and/or buffers approved for impact under this Certification Approval and Authorization Certificate. A sample deed notification can be downloaded from the 401/Wetlands Unit web site at <http://h2o.enr.state.nc.us/ncwetlands>. The text of the sample deed notification may be modified as appropriate to suit to this project.

6. Culvert Installation

Culverts required for this project shall be installed in such a manner that the original stream profiles are not altered. Existing stream dimensions (including the cross section dimensions, pattern, and longitudinal profile) must be maintained above and below locations of each culvert. Culverts shall be designed and installed to allow for aquatic life movement as well as to prevent head cutting of the streams. If any of the existing pipes are or become perched, the appropriate stream grade shall be re-established or, if the pipes installed in a perched manner, the pipes shall be removed and re-installed correctly.

Culvert(s) shall not be installed in such a manner that will cause aggradation or erosion of the stream up or down stream of the culvert(s). Existing stream dimensions (including the cross section dimensions, pattern and longitudinal profile) shall be maintained above and below locations of each culvert. Therefore, you must provide plans with adequate details that indicate that the current stability of the stream will be maintained or enhanced. You must receive written approval from this Office for the above plans before the culvert(s) is installed. Culvert(s) must be installed according to approved plans.

7. No Stream Impacts (Open Bottom & Bottomless Arch Culverts)

Your application states that an Open Bottom Arch Culvert will be used to cross the stream at crossing #3 and that no impacts will occur to either wetlands or streams. This letter does not approve any impacts to streams or wetlands at crossing #3. The proposed project must comply with all applicable water quality standards as listed in 15A NCAC 02B .0200. The placement of the culverts shall not be conducted in a manner that may result in aggradation, degradation or

significant changes in hydrology of the stream bed and bank, adjacent to or upstream and downstream of the structure. The openings must be provided to maintain the natural hydrology of the system as well as prevent constriction of the floodway that may result in aggradation, degradation or significant changes in hydrology of streams.

8. Erosion & Sediment Control Practices

Erosion and sediment control practices must be in full compliance with all specifications governing the proper design, installation and operation and maintenance of such Best Management Practices in order to protect surface waters standards:

- a. The erosion and sediment control measures for the project must be designed, installed, operated, and maintained in accordance with the most recent version of the *North Carolina Sediment and Erosion Control Planning and Design Manual*.
- b. The design, installation, operation, and maintenance of the sediment and erosion control measures must be such that they equal, or exceed, the requirements specified in the most recent version of the *North Carolina Sediment and Erosion Control Manual*. The devices shall be maintained on all construction sites, borrow sites, and waste pile (spoil) projects, including contractor-owned or leased borrow pits associated with the project.

9. No Waste, Spoil, Solids, or Fill of Any Kind

No waste, spoil, solids, or fill of any kind shall occur in wetlands, waters, or riparian areas beyond the footprint of the impacts depicted in the Pre-Construction Notification. All construction activities, including the design, installation, operation, and maintenance of sediment and erosion control Best Management Practices, shall be performed so that no violations of state water quality standards, statutes, or rules occur.

10. No Sediment & Erosion Control Measures w/n Wetlands or Waters

Sediment and erosion control measures shall not be placed in wetlands or waters to the maximum extent practicable. If placement of sediment and erosion control devices in wetlands and waters is unavoidable, they shall be removed and the natural grade restored within six months of the date that the Division of Land Resources has released the project.

11. Notification of Construction

The applicant and/or authorized agent shall contact the DWQ Express Review Program in writing at the letterhead address within 10 days of the commencement of construction.

Polk-Sullivan, LLC
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 11/19/04

12. Certificate of Completion

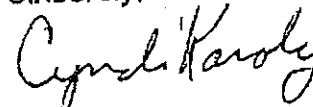
Upon completion of all work approved within the 401 Water Quality Certification or applicable Buffer Rules, and any subsequent modifications, the applicant is required to return the attached certificate of completion to the 401/Wetlands Unit, North Carolina Division of Water Quality, 1650 Mail Service Center, Raleigh, NC, 27699-1650.

Violations of any condition herein set forth may result in revocation of this Certification and may result in criminal and/or civil penalties. The authorization to proceed with your proposed impacts or to conduct impacts to waters as depicted in your application and as authorized by this Certification, shall expire upon expiration of the 404 or CAMA Permit.

If you do not accept any of the conditions of this Certification (associated with the approved wetland or stream impacts), you may ask for an adjudicatory hearing. You must act within 60 days of the date that you receive this letter. To ask for a hearing, send a written petition, which conforms to Chapter 150B of the North Carolina General Statutes to the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, N.C. 27699-6714. This certification and its conditions are final and binding unless you ask for a hearing.

This letter completes the review of the Division of Water Quality under Section 401 of the Clean Water Act. If you have any questions, please telephone Cyndi Karoly at 919-733-9721 or Deborah Edwards at 919-733-9502 in the Central Office in Raleigh.

Sincerely,


 for Alan W. Klimek, P.E.

AWK/dae

Enclosures: GC 3402
 Certificate of Completion

cc: Sean Clark-S&EC
 USACE Raleigh Regulatory Field Office
 Mike Horan -DW&Q Raleigh Regional Office
 DLR Raleigh Regional Office
 File Copy
 Central Files

Filename: 041672WilliamsPond(Chatham)EXP+401



North Carolina Department of Environment and Natural Resources
Division of Water Quality

Michael F. Easley, Governor

William G. Ross, Jr., Secretary
 Alan W. Klimek, P.E., Director

North Carolina Division of Water Quality
401 Water Quality Certification
Summary of Permitted Impacts and Mitigation Requirements

In accordance with 15A NCAC 2H.0500, Polk-Sullivan, LLC has permission as outlined below to impact 303 linear feet of streams for the purpose(s) of constructing the proposed subdivision in Chatham County. All activities associated with these authorized impacts must be conducted with the conditions listed in the attached Permit transmittal letter. **THIS PERMIT IS NOT VALID WITHOUT THE ATTACHMENTS.**

COMPENSATORY MITIGATION REQUIREMENTS, ECOSYSTEM ENHANCEMENT PROGRAM

LOCATION:
COUNTY
BASIN/ SUB BASIN

Williams Pond Subdivision
 Chatham
 03-06-04

As required by 15A NCAC 2H.0500, and the conditions of this Permit, you are required to compensate for the above impacts through the restoration, creation, enhancement or preservation of wetlands and surface waters as outlined below prior to conducting any activities that impact or degrade the waters of the state.

Note: Acreage requirements proposed to be mitigated through the Ecosystem Enhancement Program must be rounded to one-quarter acre increments and linear foot requirements must be rounded up to the nearest foot according to 15 2R.0503(b).

Impacts:

0 Acres of Class WL wetlands
 0 Acres of riparian wetland
 0 Acres of non- riparian wetlands

0 Acres of Class SWL wetlands
 0 Linear feet of stream buffers
 303 Linear feet of Stream

Mitigation:

0 Acres of Class WL wetlands
 0 Acres of riparian wetland
 0 Acres of non- riparian wetlands

401 Wetlands Certification Unit
 1650 Mail Service Center, Raleigh, North Carolina 27699-1650
 2321 Crabtree Boulevard, Suite 250, Raleigh, North Carolina 27604
 Phone: 919-733-1785 / FAX 919-733-6883 / Internet: <http://w2o.enr.state.nc.us/ncywetlands>

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One
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Polk-Sullivan, LLC
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0 Acres of Class SWL wetlands
0 Linear feet of stream buffers
194 Linear feet of Perennial Stream

In correspondence dated October 26, 2004, the EEP indicated that up to 194 linear feet of mitigation will be conducted by EEP if necessary.

One of the options you have available to satisfy the compensatory mitigation requirement is through the payment of a fee to the Wetlands Restoration Fund per NCAC 2R.0503. If you choose this option, please sign this form and mail it to the Ecosystem Enhancement Program at the address below. An invoice for the appropriate amount of payment will be sent to you upon receipt of this form. PLEASE NOTE, THE ABOVE IMPACTS ARE NOT AUTHORIZED UNTIL YOU RECEIVE NOTIFICATION THAT YOUR PAYMENT HAS BEEN PROCESSED BY THE ECOSYSTEM ENHANCEMENT PROGRAM.

Signature

Date

ECOSYSTEM ENHANCEMENT PROGRAM
1619 Mail Service Center
RALEIGH, N.C. 27669-1619
(919) 733-5208

Filename: 041672WilliamsPond(Chatham)EXP+401